

AA-6687-A

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
222 WEST SEVENTH AVENUE, #13  
ANCHORAGE, ALASKA 99513-7599

INTERIM CONVEYANCE

WHEREAS

Old Harbor Native Corporation

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(a), 1621(j), of the surface estate in the following-described lands:

Seward Meridian, Alaska

T. 34 S., R. 23 W.,  
Secs. 4, 8, 9, and 17.

Containing approximately 915 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider and lakes 50 acres and larger, which are meanderable according to the 1973 Bureau of Land Management Manual of Surveying Instructions, as modified by Departmental regulation 43 CFR 2650.5-1, and navigable waters, if any, of lesser size. These submerged lands will be identified at the time of survey.

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Also excluded are lands covered by tidal waters up to the line of mean high tide. The actual limits of tidal influence for those water bodies, if any, will be determined at the time of survey.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface in the lands above described; TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement map, a copy of which can be found in the Bureau of Land Management's Public Land Records, are reserved to the United States. All easements are subject to applicable Federal, State, or municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail - The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsleds, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. gross vehicle weight (GVW)).

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One Acre site - The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles (ATVs), snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

- a. (EIN 33 C5) An easement twenty-five (25) feet in width for a proposed access trail from the mean high tide line of Sitkalidak Strait, and site easement 33a C5, in Sec. 8, T. 34 S., R. 23 W., Seward Meridian, northwesterly to public lands in Sec. 5, T. 34 S., R. 23 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.
- b. (EIN 33a C5) A one (1) acre site easement upland of the mean high tide line in Sec. 8, T. 34 S., R. 23 W., Seward Meridian, on the left bank of an unnamed stream and on the north shore of Sitkalidak Strait. The uses allowed are those listed above for a one acre site easement.

THE GRANT OF THE ABOVE-DESCRIBED LANDS SHALL BE  
SUBJECT TO:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native

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43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;

3. Requirements of Sec. 22(g) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1621(g), that (a) the above-described lands which were on December 18, 1971, within the boundaries of the Kodiak National Wildlife Refuge (Public Land Order 1634), remain subject to the laws and regulations governing use and development of such refuge, and that (b) the right of first refusal, if said land or any part thereof is ever sold by the above-named corporation, is reserved to the United States;
4. Special Use Permit KOD-93-16700 issued by the U.S. Fish and Wildlife Service to Rocky Morgan, Kodiak Adventures, on June 17, 1993, pursuant to the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd-668ee) and the Refuge Recreation Act (16 U.S.C. 460K-3) implemented by regulations 50 CFR 25-36. The Special Use Permit will expire on June 30, 1998, and
5. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 19th day of June, 1995, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ JENICE R. PRUTZ

Jenice R. Prutz  
Acting Chief, Branch of Gulf Rim Adjudication

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